

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION

No. 12-md-2323 (AB)

MDL No. 2323

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**THIS DOCUMENT RELATES TO:**

**Plaintiffs' Master Administrative Long-  
Form Complaint and (if applicable)**

Alfred R. Camarena

**v. National Football League [et al.],**

**No. 2:12-cv-03125-AB**

**SHORT FORM COMPLAINT**

**IN RE: NATIONAL FOOTBALL  
LEAGUE PLAYERS' CONCUSSION  
INJURY LITIGATION**

**JURY TRIAL DEMANDED**

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**SHORT FORM COMPLAINT**

1. Plaintiff(s), Alfred R. Camarena, (and, if applicable, Plaintiff's Spouse) \_\_\_\_\_, bring(s) this civil action as a related action in the matter entitled IN RE: NATIONAL FOOTBALL LEAGUE PLAYERS' CONCUSSION INJURY LITIGATION, MDL No. 2323.

2. Plaintiff (and, if applicable, Plaintiff's Spouse) is/are filing this short form complaint as required by this Court's Case Management Order No. 2, filed April 26, 2012.

3. Plaintiff (and, if applicable Plaintiff's Spouse), incorporate(s) by reference the allegations (as designated below) of the Master Administrative Long-Form Complaint, as may be amended, as if fully set forth at length in this Short Form Complaint.

4. [Fill in if applicable] Plaintiff is filing this case in a representative capacity as the Personal Representative of Estate of Curtis Whitley, having been duly appointed as the Personal Rep. by the Cal. Superior Court of Alameda County. (Cross out sentence below if not applicable.) Copies of the Letters of Administration/Letters Testamentary for a wrongful death claim are annexed hereto if such Letters are required for the commencement of such a claim by the Probate, Surrogate or other appropriate court of the jurisdiction of the decedent.

5. Plaintiff, Alfred R. Camarena, is a resident and citizen of California and claims damages as set forth below.

6. [Fill in if applicable] Plaintiff's spouse, \_\_\_\_\_, is a resident and citizen of \_\_\_\_\_, and claims damages as a result of loss of consortium proximately caused by the harm suffered by her Plaintiff husband/decedent.

7. On information and belief, the Plaintiff (or decedent) sustained repetitive, traumatic sub-concussive and/or concussive head impacts during NFL games and/or practices. On information and belief, Plaintiff suffers (or decedent suffered) from symptoms of brain injury caused by the repetitive, traumatic sub-concussive and/or concussive head impacts the Plaintiff (or decedent) sustained during NFL games and/or practices. On information and belief, the Plaintiff's (or decedent's) symptoms arise from injuries that are latent and have developed and continue to develop over time.

8. [Fill in if applicable] The original complaint by Plaintiff(s) in this matter was filed in Cal. Superior Ct., County of Alameda. If the case is remanded, it should be remanded to Cal. Superior Ct., Cty. of Alameda.

9. Plaintiff claims damages as a result of [check all that apply]:

- ☐ Injury to Herself/Himself
- ☒ Injury to the Person Represented
- ☒ Wrongful Death
- ☒ Survivorship Action
- ☒ Economic Loss
- ☒ Loss of Services
- ☒ Loss of Consortium

10. [Fill in if applicable] As a result of the injuries to her husband,

\_\_\_\_\_, Plaintiff's Spouse, \_\_\_\_\_, suffers from a  
loss of consortium, including the following injuries:

- ☐ loss of marital services;
- ☐ loss of companionship, affection or society;
- ☐ loss of support; and
- ☐ monetary losses in the form of unreimbursed costs she has had to expend for the health care and personal care of her husband.

11. [Check if applicable] ☐ Plaintiff (and Plaintiff's Spouse, if applicable)  
reserve(s) the right to object to federal jurisdiction.

**DEFENDANTS**

12. Plaintiff (and Plaintiff's Spouse, if applicable) bring(s) this case against the following Defendants in this action [check all that apply]:

- ☒ National Football League
- ☐ NFL Properties, LLC
- ☐ Riddell, Inc.
- ☐ All American Sports, Inc. (d/b/a Riddell Sports Group, Inc.)
- ☐ Riddell Sports Group, Inc.
- ☐ Easton-Bell Sports, Inc.
- ☐ Easton-Bell Sports, LLC
- ☐ EB Sports Corporation
- ☐ RBG Holdings Corporation

13. [Check where applicable] As to each of the Riddell Defendants referenced above, the claims asserted are: ☐ design defect; ☐ informational defect; ☐ manufacturing defect.

14. [Check if applicable] ☐ The Plaintiff (or decedent) wore one or more helmets designed and/or manufactured by the Riddell Defendants during one or more years Plaintiff (or decedent) played in the NFL and/or AFL.

15. Plaintiff played in [check if applicable] ☒ the National Football League ("NFL") and/or in [check if applicable] ☐ the American Football League ("AFL") during

1992-1997 \_\_\_\_\_ for the following teams: San Diego Chargers,

Carolina Panthers and Oakland Raiders

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**CAUSES OF ACTION**

16. Plaintiff herein adopts by reference the following Counts of the Master Administrative Long-Form Complaint, along with the factual allegations incorporated by reference in those Counts [check all that apply]:

- ☒ Count I (Action for Declaratory Relief – Liability (Against the NFL))
- ☐ Count II (Medical Monitoring (Against the NFL))
- ☒ Count III (Wrongful Death and Survival Actions (Against the NFL))
- ☒ Count IV (Fraudulent Concealment (Against the NFL))
- ☒ Count V (Fraud (Against the NFL))
- ☒ Count VI (Negligent Misrepresentation (Against the NFL))
- ☐ Count VII (Negligence Pre-1968 (Against the NFL))
- ☒ Count VIII (Negligence Post-1968 (Against the NFL))
- ☒ Count IX (Negligence 1987-1993 (Against the NFL))
- ☒ Count X (Negligence Post-1994 (Against the NFL))

- ☐ Count XI (Loss of Consortium (Against the NFL and Riddell Defendants))
- ☒ Count XII (Negligent Hiring (Against the NFL))
- ☒ Count XIII (Negligent Retention (Against the NFL))
- ☐ Count XIV (Strict Liability for Design Defect (Against the Riddell Defendants))
- ☐ Count XV (Strict Liability for Manufacturing Defect (Against the Riddell Defendants))
- ☐ Count XVI (Failure to Warn (Against the Riddell Defendants))
- ☐ Count XVII (Negligence (Against the Riddell Defendants))
- ☒ Count XVIII (Civil Conspiracy/Fraudulent Concealment (Against ~~All~~ the NFL Defendants))

17. Plaintiff asserts the following additional causes of action [write in or attach]:

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**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff (and Plaintiff's Spouse, if applicable) pray(s) for judgment as follows:

- A. An award of compensatory damages, the amount of which will be determined at trial;
- B. For punitive and exemplary damages as applicable;
- C. For all applicable statutory damages of the state whose laws will govern this action;
- D. For medical monitoring, whether denominated as damages or in the form of equitable relief;
- E. For an award of attorneys' fees and costs;
- F. An award of prejudgment interest and costs of suit; and
- G. An award of such other and further relief as the Court deems just and proper.

**JURY DEMANDED**

Pursuant to Federal Rule of Civil Procedure 38, Plaintiff(s) hereby demand(s) a trial by jury.

Dated: July 12, 2012

RESPECTFULLY SUBMITTED:

/s/ Anthony Tarricone

Anthony Tarricone  
KREINDLER & KREINDLER, LLP  
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Boston, MA 02116  
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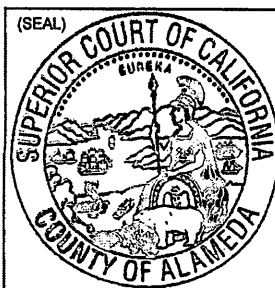


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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, state bar number, and address):<br>Richard D. Cleary (Bar No. 1416564)<br>Farmer & Ridley LLP<br>444 S. Flower Street, Suite 600<br>Los Angeles CA 90071                                                                                   |  | TELEPHONE AND FAX NOS.:<br>(213) 626-029<br>213-833-7812                                                 | FOR COURT USE ONLY<br><br><b>FILED</b><br>ALAMEDA COUNTY<br><br>JUN 22 2012<br><br>CLERK OF THE SUPERIOR COURT<br>By <u>Amatis</u> Deputy |
| ATTORNEY FOR (Name): Alfred R. Camarena<br><b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA</b><br>STREET ADDRESS: 2120 Martin Luther King Jr. Way<br>MAILING ADDRESS: 2120 Martin Luther King Jr. Way<br>CITY AND ZIP CODE: Berkeley CA 94704<br>BRANCH NAME: Berkeley Courthouse |  |                                                                                                          |                                                                                                                                           |
| ESTATE OF (Name):<br>Estate of Curtis W. Whitley<br>DECEDENT                                                                                                                                                                                                                         |  | CASE NUMBER:<br>RP 12623223                                                                              |                                                                                                                                           |
| <input type="checkbox"/> TESTAMENTARY<br><input type="checkbox"/> OF ADMINISTRATION WITH WILL ANNEXED                                                                                                                                                                                |  | <input checked="" type="checkbox"/> OF ADMINISTRATION<br><input type="checkbox"/> SPECIAL ADMINISTRATION |                                                                                                                                           |

**LETTERS**

- ☐ The last will of the decedent named above having been proved, the court appoints (name):
  - ☐ executor.
  - ☐ administrator with will annexed.
- ☒ The court appoints (name):  
Alfred R. Camarena
  - ☒ administrator of the decedent's estate.
  - ☐ special administrator of decedent's estate
    - ☐ with the special powers specified in the Order for Probate.
    - ☐ with the powers of a general administrator.
    - ☐ letters will expire on (date):
- ☒ The personal representative is authorized to administer the estate under the Independent Administration of Estates Act ☒ with full authority  
☐ with limited authority (no authority, without court supervision, to (1) sell or exchange real property or (2) grant an option to purchase real property or (3) borrow money with the loan secured by an encumbrance upon real property).
- ☐ The personal representative is not authorized to take possession of money or any other property without a specific court order.

WITNESS, clerk of the court, with seal of the court affixed.



Date: JUN 22 2012  
Clerk, by PAT S SWEETEN  
Amatis  
(DEPUTY)

**AFFIRMATION**

- ☐ PUBLIC ADMINISTRATOR: No affirmation required (Prob. Code, § 7621(c)).
- ☒ INDIVIDUAL: I solemnly affirm that I will perform the duties of personal representative according to law.
- ☐ INSTITUTIONAL FIDUCIARY (name):

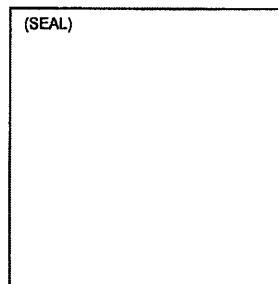
I solemnly affirm that the institution will perform the duties of personal representative according to law. I make this affirmation for myself as an individual and on behalf of the institution as an officer.  
(Name and title):

- Executed on (date): 4/24/2012  
at (place): Wildomar, California.

► Alfred R. Camarena  
(SIGNATURE)

**CERTIFICATION**

I certify that this document is a correct copy of the original on file in my office and the letters issued the personal representative appointed above have not been revoked, annulled, or set aside, and are still in full force and effect.



Date:  
Clerk, by  
  
(DEPUTY)